

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

No. 2:12-md-02323-AB

NOV - 4 2016

MDL No. 2323

Kevin Turner and Shawn Wooden,  
*on behalf of themselves and  
others similarly situated,*  
Plaintiffs,

v.

Civ. Action No.: 14-cv-00029-AB

National Football League and  
NFL Properties, LLC,  
successor-in-interest to  
NFL Properties, Inc.,  
Defendants.

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**STIPULATION AND ~~PROPOSED~~ ORDER<sup>1</sup>**

This Stipulation and Agreement, dated November [3], 2016, is made and entered into by and among the National Football League and NFL Properties LLC (the "NFL Parties"), and Class Counsel (collectively, the "Parties").

WHEREAS, on April 22, 2015, this Court issued a Memorandum (ECF No. 6509) and Final Order and Judgment (ECF No. 6510), and on May 8, 2015, an amended Final Order and Judgment (ECF No. 6534), approving the Settlement Agreement in its entirety;

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<sup>1</sup> Unless otherwise noted, the terms used in this Order that are defined in the Settlement Agreement have the same meanings in this Order as in the Settlement Agreement.

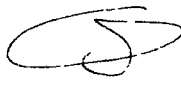
WHEREAS, on May 4, 2015, Claims Administrator BrownGreer PLC, in accordance with the Final Order and Judgment and the Settlement Agreement, filed the list of Opt Outs who timely submitted proper requests to opt out in compliance with Section 14.2(a) of the Settlement Agreement, including Retired NFL Football Player Robert Brannon (ECF No. 6533);

WHEREAS, Robert Brannon has since submitted a written request seeking to revoke his Opt Out request (*see* Exhibit 1 (Declaration of Orran L. Brown, Sr.));

WHEREAS, the Parties have agreed to accept the revocation request submitted by Robert Brannon, subject to Court approval, because he submitted the request before Opt Out litigation has commenced in this Court;

**AND NOW**, this [ 3 ] day of November, 2016, it is hereby stipulated and agreed by the Parties that the revocation request submitted by Robert Brannon is accepted, subject to Court approval, because he submitted the request before Opt Out litigation has commenced in this Court.

It is so **STIPULATED AND AGREED**,

By:   
\_\_\_\_\_

Date: November 2, 2016

Christopher Seeger  
**SEEGER WEISS LLP**  
77 Water Street  
New York, NY 10005  
Phone: (212) 584-0700  
cseeger@seegerweiss.com

*Class Counsel*

By:   
\_\_\_\_\_

Date: November 3, 2016

Brad S. Karp  
**PAUL, WEISS, RIFKIND, WHARTON  
& GARRISON LLP**  
1285 Avenue of the Americas  
New York, NY 10019-6064  
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bkarp@paulweiss.com

*Counsel for the NFL Parties*

It is so **ORDERED**, based on the above Stipulation and the accompanying Declaration of Orran L. Brown, Sr., that the revocation request submitted by Robert Brannon is approved and the Claims Administrator is **DIRECTED** to post a revised list of Opt Outs forthwith excluding Robert Brannon.



ANITA B. BRODY, J.

11/7/16

Copies **VIA ECF** on \_\_\_\_\_ to:

Copies **MAILED** on \_\_\_\_\_ to:

# Exhibit 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

Hon. Anita B. Brody

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**DECLARATION OF ORRAN L. BROWN, SR.**

I, ORRAN L. BROWN, SR., hereby declare and state as follows:

1. My name is Orran L. Brown, Sr. I am the Chairman and a founding partner of BrownGreer PLC ("BrownGreer"), located at 250 Rocketts Way, Richmond, Virginia 23231.

2. I am over the age of 21. The matters set forth in this Declaration are based upon my personal knowledge and information.

3. I submit this Declaration to describe the Opt Out revocation request by Robert Brannon that BrownGreer, as the Claims Administrator under the Class Action Settlement Agreement in this action, received on November 1, 2016.

4. In its April 22, 2015 Final Approval Order and Judgment, the Court directed the Claims Administrator to post a list of Opt Outs as of that date. Accordingly, we posted on the official Settlement website a list of the 175 Opt Outs that were timely and included all elements required for a valid Opt Out under Section 14.2(a) of the Settlement Agreement and a list of the 33 Opt Outs that were untimely and/or were missing one or more of Section 14.2(a)'s required elements.

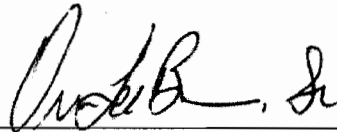
5. Section 14.2(c) of the Settlement Agreement provides that a Class Member who had opted out but wished to revoke that Opt Out could submit a written request to do so “[p]rior to the Final Approval Date.” At various times after the April 22, 2015 Final Approval Date, twelve persons who opted out submitted requests to revoke their Opt Outs. The Parties to the Settlement Agreement agreed to accept those revocation requests, subject to Court approval. In each instance, the Parties reported the revocation requests to the Court. By Orders of July 15, 2015 (Document 6642), December 22, 2015 (Document 6713), January 26, 2016 (Document 6739), September 15, 2016 (Document 6907), and October 25, 2016 (Document 6924), the Court approved all the revocations. As a result, we no longer counted those persons as Opt Outs and posted on the Settlement website a revised list of Opt Outs, now called the Timely Opt Out Requests Containing All Information Required by Section 14.2(a) or Otherwise Approved by the Court, to reflect results in the Orders.

6. By Order of September 8, 2016 (Document 6902), the Court approved a motion to include five plaintiffs on the List of Pending Actions in MDL 2323 Involving Opt Out Plaintiffs. We then moved those five persons to the list of Timely Opt Out Requests Containing All Information Required by Section 14.2(a) or Otherwise Approved by the Court, which now contains 168 names.

7. On November 1, 2016, we received by mail a letter from Mr. Robert Brannon, who is one of the 168 persons on the list of Timely Opt Out Requests Containing All Information Required by Section 14.2(a) or Otherwise Approved by the Court, asking to revoke his Opt Out. I have attached to this Declaration a copy of his letter, after redacting his personal identifying information. The Parties to the Settlement Agreement have agreed to accept his revocation request, subject to Court approval. If the Court grants its approval, we

will no longer count Mr. Brannon as an Opt Out and, upon direction of the Court, will post on the Settlement website a revised list of Timely Opt Out Requests Containing All Information Required by Section 14.2(a) or Otherwise Approved by the Court.

I, Orran L. Brown, Sr., declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on this 2<sup>nd</sup> day of November, 2016.

A handwritten signature in black ink, appearing to read "Orran L. Brown, Sr.", is written above a horizontal line.

Orran L. Brown, Sr.

Robert Brannon

October 26, 2016

BrownGreer PLC – Claim Administrator  
NFL Concussion Settlement  
250 Rocketts Way  
Richmond, VA 23231

Attention: Orran L. Brown, Sr.

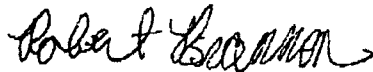
RE: Request to Revoke my Timely and Proper Opt out  
Name : Robert Brannon  
Address :  
  
Telephone :  
DOB :

Dear Sir:

Please accept this request to revoke my timely and properly opt out which was made before the final approval date.

I wish to be restored to being a member of the class.

Thank you,



Robert Brannon



**CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing document was served electronically via the Court's electronic filing system on the 3rd day of November, 2016, upon all counsel of record.

Dated: November 3, 2016

/s/ Brad S. Karp  
Brad S. Karp